

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JEREMY TORRUELLA BEY,

Plaintiff,

Case No. 20-cv-1434-bhl

v.

GEORGE WEBB RESTAURANT, et al.,

Defendants.

ORDER DISMISSING CASE WITHOUT PREJUDICE

Jeremy Torruella Bey filed a *pro se* complaint and a document labeled “Affidavit of Financial Statement” on September 14, 2020. ECF No. 1, 2. On September 15, 2020, the Clerk of Court demanded that, within twenty-one days, Torruella Bey either pay the filing fee or file a motion to proceed *in forma pauperis* pursuant to 28 U.S.C. §1914(a). ECF No. 3. The Clerk’s notice specifically warned Torruella Bey that his failure to comply may result in his case being dismissed. That deadline has passed, and Torruella Bey has not paid the filing fee or filed this court’s form motion for leave to proceed without prepayment of the filing fee.

This district permits a person to proceed *in forma pauperis* in his or her case only after that person files a completed and truthful form request to do so, which can be found on the court’s website. Torruella Bey did not file this district’s form motion to proceed *in forma pauperis* even after the Clerk specifically directed him to do so. While he did submit an affidavit with his complaint, the affidavit does not contain the information the court needs to assess his ability to pay the filing fee. Instead, it simply affirms that Torruella Bey does “not have, or possess, any gold or silver coins.” With such little information, the court cannot determine whether Torruella Bey is able to pay the filing fee. Given Torruella Bey’s failure to comply with Clerk’s notice,

IT IS HEREBY ORDERED that this case is **DISMISSED without prejudice** for lack of prosecution pursuant to Civil L.R. 41(c).

SO ORDERED on October 9, 2020.

s/ Brett H. Ludwig

BRETT H. LUDWIG
United States District Judge